

1 **LEW BRANDON, JR., ESQ.**
Nevada Bar No. 5880
2 **JUSTIN W. SMERBER, ESQ.**
Nevada Bar No. 10761
3 **MORAN BRANDON BENDAVID MORAN**
630 S. Fourth Street
Las Vegas, Nevada 89101
4 (702) 384-8424
(702) 384-6568 - *facsimile*
5 *l.brandon@moranlawfirm.com*
Attorneys for Defendant,
6 *THE VONS COMPANIES, INC.*

7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 RENISHA NIEVES, an individual,
9 Plaintiff,

CASE NO.: 2:15-cv-00864-JCM-VCF

10 vs.

11 THE VONS COMPANIES, INC., a
Michigan Corporation, d/b/a VON'S
12 STORE (#2615); DOE Individuals 1-10;
DOE EMPLOYEE and ROE
Corporations 11-20,
13 Defendants.

14 **LIMITED STIPULATION AND ORDER**
REGARDING AGREED PROTECTIVE ORDER

15 COMES NOW, Defendant, THE VONS COMPANIES, INC., by and through its
undersigned attorneys, LEW BRANDON, JR., ESQ., JUSTIN W. SMERBER, ESQ. of
16 MORAN BRANDON BENDAVID MORAN, Plaintiff, RENISHA NIEVES, by and through
17 her attorney, JOSHUA DOWLING, ESQ. of COGBURN LAW OFFICES and request an Order
18 as follows:



MORAN BRANDON
BENDAVID MORAN
ATTORNEYS AT LAW

630 SOUTH 4TH STREET
LAS VEGAS, NEVADA 89101
PHONE: (702) 384-8424
FAX: (702) 384-6568

1 Defendant has produced the following items, which the parties agree shall be
 2 designated as confidential, proprietary and subject to protection in this action until the Court has
 3 ruled on a Motion for Protective Order regarding such items. Accordingly, it is agreed
 4 Defendant will file a Motion for Protective Order regarding the above-mentioned items by no
 5 later than March 28, 2016. In the event Defendant fails to do so, the following items will not be
 6 deemed to be confidential, proprietary or subject to the protection in this action.

- 6 1. Employee file of Adam Garbar;
- 7 2. Employee file of Angela Baca;
- 8 3. Employee file of Larry Garbar;
- 9 4. Master Agreement for Floor Care – Janitorial Services between Safeway,
 Inc./The Vons Company, Inc. and Come Land Maintenance Service Company
 dated April 20, 2014;
- 10 5. Termination of Services Letter from The Vons Company, Inc. to Come Land
 Maintenance Co, Inc. dated March 23, 2015;
- 11 6. Courtesy Clerk Bottom of Basket Policy and Guidelines;
- 12 7. Annual Sweep Program Policy and Guidelines;
- 13 8. Safeway/Vons Companies Courtesy Clerk Cleaning Training Materials;
- 14 9. Safeway/Vons Companies Culture of Safety Training Materials Presentation;
- 15 10. Meat/Seafood Departments Sanitation Reference Guide;
- 16 11. Welcome to Safeway/Vons Companies Training Guide Presentation;
- 17 12. Floor Care Trainer's Guide;
- 18 13. Floor Care Training Evaluation Guide; and
- 19 14. Vons Loss Report for falls 2009-2016.
- 20



MORAN BRANDON
 BENDAVID MORAN
 ATTORNEYS AT LAW

630 SOUTH 4TH STREET
 LAS VEGAS, NEVADA 89101
 PHONE: (702) 384-8424
 FAX: (702) 384-6568

1 Pending the Court's ruling on Defendant's Motion for Protective Order to be filed by
 2 no later than March 28, 2016, the foregoing confidential documents and information contained
 3 therein shall be used solely for the prosecution or defense of this litigation. Such confidential
 4 documents and information may be disclosed only to the following persons: (a) parties to this
 5 litigation; (b) counsel for the parties and persons regularly employed in the offices of counsel
 6 for the parties; (c) outside experts or professional advisors retained by a party to assist in the
 7 prosecution or defense in the case and persons regularly employed in the offices of such outside
 8 experts and professional advisors; (d) court personnel, deponents and court
 9 reporters/videographers; provided, however, that prior to such disclosure to the persons
 10 describing clause (a) and (c) above, counsel shall furnish a copy of this Protective Order to such
 11 person and obtain the written agreement of such person to be bound by the terms of this
 12 Protective Order. The requirement of obtaining such a written agreement may be satisfied by
 13 obtaining the signature of any such person at the foot of a copy of this Order.



MORAN BRANDON
 BENDAVID MORAN
 ATTORNEYS AT LAW

630 SOUTH 4TH STREET
 LAS VEGAS, NEVADA 89101
 PHONE: (702) 384-8424
 FAX: (702) 384-6568

1 Nothing contained in this Protective Order shall preclude Defendant from using its own
2 confidential documents or information in any manner they see fit, or from reviewing such
3 confidential documents or information to whomever they choose, without the prior consent of
4 any other party or of this Court.

5 DATED this 7 day of March, 2016.

6 **MORAN BRANDON BENDAVID MORAN**

COGBURN LAW OFFICES

7 **LEW BRANDON, JR., ESQ.**

Nevada Bar No. 5880

JUSTIN W. SMERBER, ESQ.

Nevada Bar No. 10761

KRIS D. KLINGENSMITH, ESQ.

Nevada Bar No. 13904

630 S. Fourth Street

Las Vegas, Nevada 89101

Attorneys for Defendant,

THE VONS COMPANIES, INC.

8 **JAMIE S. COGBURN, ESQ.**

Nevada Bar No. 8409

JOSHUA DOWLING, ESQ.

Nevada Bar No. 12956

2879 St. Rose Parkway, Suite 200

Henderson, Nevada 89052

Attorneys for Plaintiff,

RENISHA NIEVES

9
10
11 **IT IS SO ORDERED** this 7th day of March, 2016.

12
13 
14 **UNITED STATES MAGISTRATE JUDGE**

15 *Respectfully Submitted by:*

16 **MORAN BRANDON BENDAVID MORAN**

17 **LEW BRANDON, JR., ESQ.**

Nevada Bar No. 5880

JUSTIN W. SMERBER, ESQ.

Nevada Bar No.: 10761

KRIS D. KLINGENSMITH, ESQ.

Nevada Bar No.: 13904

Attorneys for Defendant,

THE VONS COMPANIES, INC.



MORAN BRANDON
BENDAVID MORAN
ATTORNEYS AT LAW

630 SOUTH 4TH STREET
LAS VEGAS, NEVADA 89101
PHONE: (702) 384-8424
FAX: (702) 384-6568